

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38140 of 2020

Arising Out of PS. Case No.-1379 Year-2019 Thana- AHIYAPUR District- Muzaffarpur

PREM CHAND KUMAR @ PREM CHAND PASWAN son of Arun Paswan
Resident of Village- Sendhwari Gajsingh, P.S.- Motipur, District-
Muzaffarpur, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anish Kumar

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 05-02-2021 Heard both parties.

The petitioner seeks bail in Ahiyapur P.S. Case No. 1379 of 2019, registered for the offence punishable under Section 399/402 of the Indian Penal Code and sections 25(1-b)A, 26 and 35 of the Arms Act.

As per the prosecution case, one loaded country made pistol, one live cartridge and one mobile phone has been recovered from possession of this petitioner.

It is submitted on behalf of the petitioner that petitioner has falsely been implicated in this case. No recovery has been made from possession of this petitioner. Petitioner is in custody since 20.11.2019.

Learned APP vehemently opposed the prayer for bail.



Having considered the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Muzaffarpur in connection with Ahiyapur P.S. Case No. 1379 of 2019, subject to following conditions:-

(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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